ORDER RECEIV**ED FOR FILING**

PETITION FOR VARIANCE IN RE:

S/S Mt. Carmel Road, 280' NW of

the c/l of York Road

(9 Mt. Carmel Road) 6th Election District

3rd Councilmanic District

First Baptist Church of Hereford

Petitioner

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 96-176-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as 9 Mt. Carmel Road, located in the vicinity of York Road in Hereford. The Petition was filed by the owner of the property, the First Baptist Church of Hereford, by John J. Brown, its Pastor, through their attorney, John H. Dumler, Esquire. The Petitioners seek relief from Section 259.3.C.7.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a freestanding sign of 32 sq.ft. per side (64 sq.ft. total) in lieu of the permitted 25 sq.ft. per side (or 50 sq.ft. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Reverend John Brown, and Richard Sands, a member of the Church. Although their attorney filed the Petition on their behalf, he was not present at the hearing. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 2.141 acres, more or less, zoned R.O.-C.R., and is the site of the Hereford Baptist Church, which has existed on the property since 1842. A large portion of the site is utilized as a cemetery with the remainder of the property (.0395 acres) improved with the existing Church building.



ORDER RECEIVED FOR FILING DATE.

That building, the cemetery and surrounding properties are depicted in a series of photographs which were submitted at the hearing. As noted above. the original Church building has existed on the property for many years, and an addition was added to the building in 1956. Presently, a sign is located adjacent to the Church and faces Mt. Carmel Road. This sign is parallel to the road, not perpendicular thereto, and thus, it is not readily visible to traffic on the roadway. The Church proposes to erect a new freestanding sign to replace the one which presently exists. A schematic rendering of the proposed sign is shown on the site plan marked as Petitioner's Exhibit 1. The proposed sign will contain a changeable message board which will advertise the Church's name, services and worship times, and other special events. The sign will be perpendicular to the road, and thus, visible to traffic proceeding in both directions on Mt. Carmel Road. Furthermore, the sign will be internally illuminated; there will be no floodlights or spotlights, and it is anticipated that same will be lighted from dusk to dawn. The sign will be double-faced, with each face containing 32 sq.ft. of sign space, or 64 sq.ft. total.

Reverend Brown testified that he contacted his neighbors and the Hereford Business Association. He indicated that none of the neighboring property owners voiced any objections to the proposed sign and that it enjoys the support of the Hereford business community.

Upon due consideration of the testimony and evidence presented, I am persuaded to grant the Petition for Variance. The proposed sign appears appropriate for the subject site, particularly considering the fact that the property, in total, contains 2.141 acres in area. A single sign on a tract of that size is not out of scale. Moreover, the property is located near the rural town center of Hereford. Thus, in my judgment, the proposed

sign is appropriate given the surrounding uses. I am persuaded that the Petitioner has satisfied the standards set forth in Section 307 of the B.C.Z.R. and that variance relief should be afforded.

It is also to be noted that a lengthy Zoning Plans Advisory Committee (ZAC) comment on this sign was submitted by the Office of Planning and Zoning. That comment raised a number of issues relating to illumination of the sign, landscaping, etc. It appears that the lighting issue will be resolved by the fact that the sign will be internally illuminated. Thus, there will be no floodlights or spotlights used to illuminate the sign and there should be no residual light shining onto neighboring properties or into Mt. Carmel Road. In this regard, Reverend Brown indicated that the proposed sign was the smallest available through the sign company with whom the Church has contracted.

Under the circumstances, I will approve the variance requested. However, I will require a representative of the Church to contact the Office of Planning and Zoning to obtain that agency's input as to landscaping and other issues which will insure compatibility of the proposed sign with the surrounding locale. This restriction will not empower that agency to reverse the decision of this Zoning Commissioner in granting the variance. The Church shall be allowed to construct a 64 sq.ft., internally illuminated sign where shown on the site plan and as depicted in the rendering thereon. However, certain efforts to mitigate the sign's effect upon the surrounding locale shall be incorporated at the discretion of the Office of Planning and Zoning.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

- 3-

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of December, 1995 that the Petition for Variance seeking relief from Section 259.3.C.7.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a freestanding sign of 32 sq.ft. per side (64 sq.ft. total) in lieu of the permitted 25 sq.ft. per side (or 50 sq.ft. total), in accordance with Petitioner's Exhibit 1, is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, a representative for the Petitioner shall contact the Office of Planning and Zoning for input on landscaping of the subject sign and other related issues to ensure compatibility with the surrounding rural locale.
- 3) When applying for the sign permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

December 6, 1995

Reverend John J. Brown First Baptist Church of Hereford 1411 Mt. Carmel Road Parkton, Maryland 21120

RE: PETITION FOR VARIANCE

S/S Mt. Carmel Road, 280' NW of the c/l of York Road

(9 Mt. Carmel Road)

6th Election District - 3rd Councilmanic District

First Baptist Church of Hereford - Petitioner

Case No. 96-176-A

Dear Reverend Brown:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc: John H. Dumler, Esquire 8441 Belair Road, Baltimore, Md. 21236

People's Counsel

File 🗸

RDER RECEIVED FOR FILING

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9 Mt. Carmel Rd., HereLand, Md 21120

96-176-A which is presently zoned RO-CR

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 259.3.C.7.b

To allow a freestanding sign an area of 32 square feet per side in lieu of the required 25 square feet per side.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Practical Difficulty - Need a double-sided, illuminated, by sq. It sign to identify thurch in the community and to parition sign with a 10 ft. setback to make sign readable.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

legal owner(s) of the property which is the subject of this Petition
Legal Owner(s)
(Type or Print Name)
Signature J. Brown Paster
First Baptist Church of Hereford
Signature
1411 Mt. Carmel Rd 343-1216 Phone No
Parkton Md 2//20 City State Zipcode Name, Address and phone number of representative to be contacted
Name Address Phone No
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING unavailable for Hearing
the following dates Next Two Months
ALLOTHER
REVIEWED BY:DATE

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road Baltimore, Maryland 21212 (410) 377-2600 (410) 377-2625 Fax

ZONING DESCRIPTION

96-176-A

9 MT. CARMEL ROAD

6th ELECTION DISTRICT - 9TH COUNCILMANIC DISTRICT

BEGINNING for the same at a point on the south side of Mt.

Carmel Road approximately 280 feet north-westerly of the

centerline of York Road thence South 2 degrees, 47 minutes, 46

seconds, East a distance of 81.42 feet; thence North 86 degrees,

39 minutes 21 seconds West a distance of 103.19 feet; thence North

00 degrees 01 minutes 19 seconds West 10.00 feet; thence South 89

degrees 58 minutes 41 seconds West; thence North 00 degrees 01

minute 19 seconds East 109.98 feet; thence binding along the south

side of Mt. Carmel Road South 66 degrees, 15 minutes, 42 seconds

East 110.98 feet.

CONTAINING 10,339 square feet or 0.237 acres of land, more or less.

BEING part of the .0395 acre tract known as 9 Mt. Carmel Road.

87-100

10-19-95

Data of return:	Location of Signer Facing 1000 of May Don for by Boling Found	1411 MtCorms/ R&		CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towner, Maryland
55	Zorra d		785	A

NOTICE OF HEARING

The Zoning Commissionier of Ballimbre County, by authority of the Zoning Act and Regulations of Baltimore County with hid a public hearing on the property Identified Hearing on the Ream 108 of the County Office Balliding. 111 W. Chesant 108 of the County Office Balliding. 6th Election District 3rd Councilmanic Legal Owner(s): First Baptist Church of Here-LAW/HEIVOE E. SCHMIDT LAW/HEIVOE E. SCHMIDT LAW/HEIVOE E. SCHMIDT COUNTY TO INTRODUCE TO THE BATTITORY OF THE ANGLE OF THE BATTITORY OF THE ANGLE OF Hearing: Monday, December 4, 1986 at 11:00 a.m. in Rm. 118, Oil Courthyuse.

Variance: to allow a free-transfer, to allow a free-transfer, segment in lieu of the required 185, square feet per side. 1411 Mt. Carmel Road SJS Mt. Carmel Road, approxi-mately 280' NWVy of ch York ase; #96-176-A tem 174)

11/190 Nov. 16, 01/303

CERTIFICATE OF PUBLICATION

TOWSON, MD., _

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper published

in Towson, Baltimore County, Md., once in each of $\underline{\hspace{1.5cm}}^{\hspace{1.5cm} I}$ successive

weeks, the first publication appearing on $\frac{100 \text{ M}}{100 \text{ M}}$, $\frac{19}{100 \text{ M}}$

THE JEFFERSONIAN,

LEGAL AD. TOWSON

BALTIMORE CJNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT
DATE 240-195 ACCOUNT R-001-6150
96-176 A AMOUNT \$ 285.00
RECEIVED FROM:
For J. J. Brown
FOR: 1911 M+ (A Ne! Rd)
7:30 VC.21 = 53AC3#0018MICHRC \$285.00 8A CO08:54AM10-24-95
DISTRIBUTION VALIDATION OR SIGNATURE OF CASHIER WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

والمواق المتحالية والمراجعة والمحالة والمحالة والمحالة والمحالة المحالة والمحالة وال

TO: PUTUXENT PUBLISHING COMPANY

November 16, 1995 Issue - Jeffersonian

Please foward billing to:

John J. Brown
First Baptist Church of Hereford
1411 Mt. Carmel Road
Parkton, MD 21120
343-1216

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

OI

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-176-A (Item 174)

1411 Mt. Carmel Road

S/S Mt. Carmel Road, approximately 280' NWly of c/l York Road

6th Election District - 3rd Councilmanic Legal Owner: First Baptist Church of Hereford

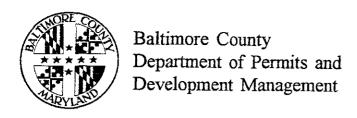
Variance to allow a free-standing sign an area of 32 square feet per side in lieu of the required 25 square feet per side.

HEARING: MONDAY, DECEMBER 4, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 7, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-176-A (Ftem 174)

1411 Mt. Carmel Road

S/S Mt. Carmel Road, approximately 280' NWly of c/1 York Road

6th Election District - 3rd Councilmanic Legal Owner: First Baptist Church of Hereford

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HEARING: MONDAY, DECEMBER 4, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon Director

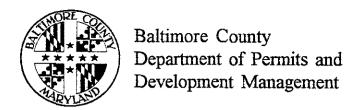
cc: John J. Brown/Frist Baptist Church of Hereford

John H. Dumler, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 29, 1995

John H. Dumler, Esquire 8441 Belair Road Baltimore, MD 21236

RE: Item No.: 174

Case No.: 96-176-A

Petitioner: J. J. Brown, Pastor

Dear Mr. Dumler:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 24, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr. Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: November 20, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 9 Mt. Carmel Road

INFORMATION:

Item Number:

174

Petitioner:

John J. Brown

Property Size:

RO-CR

Zoning:

Requested Action:

Variance

Hearing Date:

/ /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit a freestanding sign with an area of 32 square feet in lieu of the required 25 square feet.

Based upon a review of pertinent sections of the Hereford Plan (adopted by the County Council on May 6, 1991) and analysis of the information provided, staff offers the following comment:

As highlighted in the Hereford Plan, the C.R. District regulations provide for strict controls on signage and lighting. Restrictions include a limit of one free-standing sign with a surface area of no more than 25 square feet per side. Additionally, any sign must be landscaped and the location approved by the Director of the Office of Planning.

Requests to exceed the permitted number or area of a sign or to illuminate beyond the standards imposed by the C.R. District, must include a comprehensive sign plan.

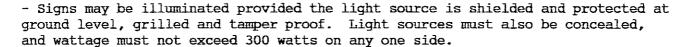
As stated in the Hereford Plan, guidelines applicable to signage should be viewed as standards in the context of the review of a variance request.

Design guidelines for lighting and signage are outlined in Appendix C of the Plan. Relative to the subject request, the following guidelines were considered in the analysis conducted by this office:

- All flood and spotlights on ground level are to reflect only on signs or points of interest. Light beams may not cross or interfere with any line of vision or sight view of pedestrians and vehicular traffic.

TO: Arnold Jablon, Director, PDM

FROM: Arnold F. "Pat" Tiler, III, Director, OP



- Enclosed soft glow internal illumination must not exceed 50 candle power illumination level and cannot operate beyond a maximum of 5 amps per unit.
- All free-standing signs and spotlights are to be integrated with planting and must be set back from the road so as not to interfere with the sight view of pedestrians or motorists.
- Free-standing signs are not to exceed 25 square feet per side.

Based upon a review of the information provided and analysis conducted, staff recommends that the applicant's request be denied. Should the request be granted, however, this office suggests that the Zoning Commissioner require the applicant to provide a comprehensive sign plan which addresses issues related to land-scaping the area proximate to the sign, and the proposed means of illumination. The Office of Planning should be consulted regarding the ultimate location of the sign.

Prepared by:

Division Chief:

PK/JL

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Nov. 16, 1995

Zpning Administration and Development Management

FROM Probert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting

for November 13, 1995

Item No. 174

The Development Plans Review Division has reviewed the subject zoning item. We request that the Hearing Officer require some streetscape landscape for Mt. Carmel Road. This office would prepare a plan for the Church.

RWB:sw

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

OAH 14707795

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Lowson, MD 21204
MACL STOP 1105

RE: Property Owner: SEE BELOW

LOCATION: DISTREBUTION MELITING OF NOV. 6, 1995

Ctem No.: SHE BELOW

- Zoninu Agendar

Gentlemen

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property

8. The Lire Marshal's Office has no comments at this time.
IN RELERENCE TO THE FOLLOWING ITEM NUMBERS: 178 (174), 176, 176, 180 AND 183.5

REVIEWER: F. ROBERT P. SAUERWALD.

Fire Marshal Office, PHONE 887 4881, MS 11024





David L. Winstead Secretary Hal Kassoff Administrator

Ms. Joyce Watson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County Item No. 174 (CAH)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance onto MD/55737 15 acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-333-1350 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief Engineering Access Permits

BS

My telephone number is _

RE: PETITION FOR VARIANCE	*	BEFORE THE
1411 Mt. Carmel Road, S/S Mt. Carmel Rd, appx. 280' NWly of c/l York Road 6th Election District, 3rd Councilmanic	*	ZONING COMMISSIONER
our missing processing and comments	*	OF BALTIMORE COUNTY
First Baptist Church of Hereford Petitioner	*	CASE NO. 96-176-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Caule S. Demelis

Peter May Tinnerson

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30 day of November, 1995, a copy of the foregoing Entry of Appearance was mailed to John H. Dumler, Esquire, 8441 Belair Road, Baltimore, MD 21236, attorney for Petitioners.

PETER MAX ZIMMERMAN

Peter Max Timmeron

First Baptist Church of Hereford John J. Brown, Pastor P.O. Box 687 9 Mt. Carmel Rd. Parkton, MD 21120 Church: 410-343-0404

Fax: 410-357-5026

October 19, 1995

Dear Sir or Madam:

In the past we were using a painted sign (4 ft. by 8 ft.) which was hung on the side of our building. It is our desire to replace this sign with a new sign on our Church property. Our research tells us that our sign needs to use 4 inch letters, and they need to be spaced properly in order to be readable at the 35 M.P.H. speed limit by our church. Therefore, we are requesting a variance to allow us to place a lighted two sided sign with the following dimensions (4 ft. by 8 ft) on our property. We are very sensitive to our community in regards to the appearance of the sign itself. We are going to spend approximately \$4,000.00 to purchase a state of the art sign that will enhance our Church and our community.

Sincerely,

John J. Brown, Pastor

John J. Brown

John 3:16 For God so loved the world, that he gave his only begotten son, that whosoever believeth in him should not perish, but have everlasting life.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Golf Brown, Paster Kuhard Sands	Pobox 687 Parkton MD 21120
Kuhard Sands	Pobox 687 Parkton MD 21120 3412 Baker School bouse M. Fredon MD 21053
	2/053

John H. Dumler

Attorney at Law Prem & Dumler

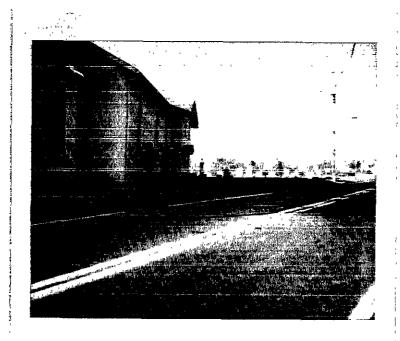
Downtown Suite 710 201 N. Charles Street Baltimore, MD 21201 (410) 752-1188 Fax (410) 783-0772

Perry Hall/White Marsh Suite 201 8441 Belair Road Baltimore, MD 21236 (410) 256-3530 Fax (410) 256-3944

stotographs Case 96-196-A









FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * *

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as 9 Mt. Carmel Road, located in the vicinity of York Road in Hereford. The Petition was filed by the owner of the property, the First Baptist Church of Hereford, by John J. Brown, its Pastor, through their attorney, John H. Dumler, Esquire. The Petitioners seek relief from Section 259.3.C.7.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a freestanding sign of 32 sq.ft. per side (64 sq.ft. total) in lieu of the permitted 25 sq.ft. per side (or 50 sq.ft. total). The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

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That building, the cemetery and surrounding properties are depicted in a series of photographs which were submitted at the hearing. As noted above. the original Church building has existed on the property for many years, and an addition was added to the building in 1956. Presently, a sign is located adjacent to the Church and faces Mt. Carmel Road. This sign is parallel to the road, not perpendicular thereto, and thus, it is not readily visible to traffic on the roadway. The Church proposes to erect a new freestanding sign to replace the one which presently exists. A schematic rendering of the proposed sign is shown on the site plan marked as Petitioner's Exhibit 1. The proposed sign will contain a changeable message board which will advertise the Church's name, services and worship times, and other special events. The sign will be perpendicular to the road, and thus, visible to traffic proceeding in both directions on Mt. Carmel Road. Furthermore, the sign will be internally illuminated; there will be no floodlights or spotlights, and it is anticipated that same will be lighted from dusk to dawn. The sign will be double-faced, with each face containing 32 sq.ft. of sign space, or 64 sq.ft. total.

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Under the circumstances, I will approve the variance requested. However, I will require a representative of the Church to contact the Office of Planning and Zoning to obtain that agency's input as to landscaping and other issues which will insure compatibility of the proposed sign with the surrounding locale. This restriction will not empower that agency to reverse the decision of this Zoning Commissioner in granting the variance. The Church shall be allowed to construct a 64 sq.ft., internally illuminated sign where shown on the site plan and as depicted in the rendering thereon. However, certain efforts to mitigate the sign's effect upon the surrounding locale shall be incorporated at the discretion of the Office of Planning and Zoning.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

- 3-

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this _____day of December, 1995 that the Petition for Variance seeking relief from Section 259.3.C.7.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a freestanding sign of 32 sq.ft. per side (64 sq.ft. total) in lieu of the permitted 25 sq.ft. per side (or 50 sq.ft. total), in accordance with Petitioner's Exhibit 1, is hereby GRANTED. subject to the following restrictions:

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3) When applying for the sign permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this

> LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

Stumber of Signe: ____

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

December 6, 1995

Reverend John J. Brown First Baptist Church of Hereford 1411 Mt. Carmel Road Parkton, Maryland 21120

RE: PETITION FOR VARIANCE S/S Mt. Carmel Road, 280' NW of the c/l of York Road (9 Mt. Carmel Road) 6th Election District - 3rd Councilmanic District First Baptist Church of Hereford - Petitioner Case No. 96-176-A

Dear Reverend Brown:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

> Zoning Commissioner for Baltimore County

cc: John H. Dumler, Esquire 8441 Belair Road, Baltimore, Md.

People's Counsel

Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 9 Mt. Carmel Rd. Hereland, Md 21120

76-176-A which is presently zoned RO-CR

This Petition shall be filed with the Department of Permits & Development Management The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 259.3.C.7.b

To allow a freestanding sign an area of 32 square feet per side in lieu of the required 25 square feet per side.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or Practical Difficulty - Need a double-sided, illuminated, by sq. It sign to identify thurch in the community and to position sign with a 10 ft. setback to make sign readable. Property is to be posted and advertised as prescribed by Zoning Regulations. i, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

	VWe do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
tract Purchaser/Lessee:	Legal Owner(s)
John J. Brown	
e or Print Name)	(Type or Print Name)
John J. Brown Sastor	Son Jo Brown, Paster
411 Mt. Carmel Rd	FIRST Baptist Church of Hereford
1kfor md 21120	
State Zipcode	Sgnature
TO AN H DUMLE	1411 Mt. Carmel Rd 343-12-16 Address Prone No
e or Print Hame)	Address Phone No
Cast Sender	Parkton Md 21/20
4 1000	Oity State Zipcode Name, Address and phone number of representative to be contacted.
aille bro para	•
8441 Below 14 25603	Name
Calle Md 2123c	·
State Zpcode	Address Phone No.
	OFFICE USE ONLY
	ESTREATED LENGTH OF HEARING unovaliable for Hearing
	the following dates Next Two Months

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road Baltimore, Maryland 21212 (410) 377-2600 (410) 377-2625 Fax

ZONING DESCRIPTION 96-176-A 9 MT. CARMEL ROAD

6th ELECTION DISTRICT - 9TH COUNCILMANIC DISTRICT

BEGINNING for the same at a point on the south side of Mt. Carmel Road approximately 280 feet north-westerly of the centerline of York Road thence South 2 degrees, 47 minutes, 46 seconds, East a distance of 81.42 feet; thence North 86 degrees, 39 minutes 21 seconds West a distance of 103.19 feet; thence North 00 degrees 01 minutes 19 seconds West 10.00 feet; thence South 89 degrees 58 minutes 41 seconds West; thence North 00 degrees 01 minute 19 seconds East 109.98 feet; thence binding along the south side of Mt. Carmel Road South 66 degrees, 15 minutes, 42 seconds East 110.98 feet.

CONTAINING 10,339 square feet or 0.237 acres of land, more or

BEING part of the .0395 acre tract known as 9 Mt. Carmel

10-19-95



CERTIFICATE OF POSTING

	Townen, Maryland
District Left Posted for: Varia	Dete of Posting 11/17/95
Petitioner: firs f	Papist Church of Kon Fort
Location of property: 1411	MTCormul RE
Location of Signer Facing	roodway on proporty being zoud
Remarks:	
Posted by Millerly	Date of return: 11/24 /95

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on $\frac{100 \cdot 16}{1996}$

> THE JEFFERSONIAN. LEGAL AD. - TOWSON

OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT item # 174 3:90 Varia 53A03#0018HICHRC \$285.00 8A CO08:56AM10-24-95 VALIDATION OR SIGNATURE OF CASHIER

TO: PUTUXENT PUBLISHING COMPANY November 16, 1995 Issue - Jeffersonian

Please foward billing to:

First Baptist Church of Hereford 1411 Mt. Carmel Road Parkton, MD 21120 343-1216

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenne in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-176-A (Item 174) 1411 Mt. Carmel Road S/S Mt. Carmel Road, approximately 280' NWly of c/l York Road 6th Election District - 3rd Councilmanic Legal Owner: First Baptist Church of Hereford

Variance to allow a free-standing sign an area of 32 square feet per side in lieu of the required 25 square feet per side.

HEARING: MONDAY, DECEMBER 4, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMINE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 7, 1995

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cc: John J. Brown/Prist Baptist Church of Hereford John H. Dumler, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

John H. Dumler, Esquire 8441 Belair Road Baltimore, MD 21236

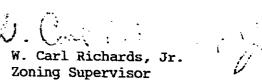
> RE: Item No.: 174 Case No.: 96-176-A Petitioner: J. J. Brown, Pastor

Dear Mr. Dumler:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 24, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).



Attachment(s)

Printed with Soybean Ink

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: November 20, 1995

TO: Arnold Jablon, Director, PDM FROM: Pat Keller, Director, OF

SUBJECT: 9 Mt. Carmel Road

INFORMATION: Item Number:

Petitioner:

Property Size:

SUMMARY OF RECOMMENDATIONS: The applicant requests a variance to permit a freestanding sign with an area of

32 square feet in lieu of the required 25 square feet. Based upon a review of pertinent sections of the Mereford Plan (adopted by the County Council on May 6, 1991) and analysis of the information provided, staff

offers the following comment: As highlighted in the Hereford Plan, the C.R. District regulations provide for strict controls on signage and lighting. Restrictions include a limit of one free-standing sign with a surface area of no more than 25 square feet per side. Additionally, any sign must be landscaped and the location approved by the Director of the Office of Planning.

Requests to exceed the permitted number or area of a sign or to illuminate beyond the standards imposed by the C.R. District, must include a comprehensive sign plan.

As stated in the Heretord Plan, guidelines applicable to signage should be viewed as standards in the context of the review of a variance request.

Design guidelines for lighting and signage are cutlined in Appendix C of the Plan. Relative to the subject request, the following guidelines were considered in the analysis conducted by this office:

- All flood and spotlights on ground level are to reflect only on signs or points of interest. Light beams may not cross or interfere with any line of vision or sight view of pedestrians and vehicular traffic.

TO: Arnold Jablon, Director, PDM
FROM: Arnold F. "Pat" ller, III, Director, OP

- Signs may be illuminated provided the light source is shielded and protected at ground level, grilled and tamper proof. Light sources must also be concealed, and wattage must not exceed 300 watts on any one side.

- Enclosed soft glow internal illumination must not exceed 50 candle power illumination level and cannot operate beyond a maximum of 5 amps per unit.

- All free-standing signs and spotlights are to be integrated with planting and must be set back from the road so as not to interfere with the sight view of pedestrians or motorists.

- Free-standing signs are not to exceed 25 square feet per side.

Based upon a review of the information provided and analysis conducted, staff recommends that the applicant's request be denied. Should the request be granted, however, this office suggests that the Zoning Commissioner require the applicant to provide a comprehensive sign plan which addresses issues related to landscaping the area proximate to the sign, and the proposed means of illumination. The Office of Planning should be consulted regarding the ultimate location of the

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Nov. 16, 1995 Zoning Administration and Development Management

FROM PRobert W. Bowling, P.E., Chief Development Plans Review Division

Zoning Advisory Committee Meeting for November 13, 1995 Item No. 174

The Development Plans Review Division has reviewed the subject zoning item. We request that the Hearing Officer require some streetscape landscape for Mt. Carmel Road. This office would prepare a plan for the Church.

Baltimore County Government Fire Department

700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 11/07/95

Arnold Jabiton Director Zoning Administration and

Development Management Baltimore County Office Building Towson, MD 21204 MAU STOP TIOS

RE: Property Owner: SEE BELOW

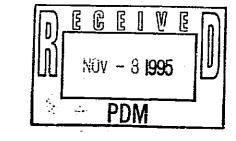
LOCATION: DISTRIBUTION MELITING HE NOV. 6, 1995

(tem No.: SDE BELOW Zonino Acenda:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Lire Marshel's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING LITT MUMBERS: 178 (178). 175 (176). 180 AND 183.5

REVIEWER: IT. ROBERT P. SAUERHOLD fire Marshal Office. PHOME 887 4881. MS-11025





David L. Winstead
Secretary
Hal Kassoff
Administrator

11-6-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County Item No. 174 (CAH)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance onto MD/55 137 15 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-333-1350 if you have any questions. Thank you for the opportunity to review this item.

Ronald Burns, Chief Engineering Access Permits Division

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

First Baptist Church of Hereford John J. Brown, Pastor P.O. Box 687 9 Mt. Carmel Rd. Parkton, MD 21120

October 19, 1995

Church: 410-343-0404 Fax: 410-357-5026

Dear Sir or Madam:

In the past we were using a painted sign (4 ft. by 8 ft.) which was hung on the side of our building. It is our desire to replace this sign with a new sign on our Church property. Our research tells us that our sign needs to use 4 inch letters, and they need to be spaced properly in order to be readable at the 35 M.P.H. speed limit by our church. Therefore, we are requesting a variance to allow us to place a lighted two sided sign with the following dimensions (4 ft. by 8 ft) on our property. We are very sensitive to our community in regards to the appearance of the sign itself. We are going to spend approximately \$4,000.00 to purchase a state of the art sign that will enhance our Church and our community.

Sincerely,

John J. Brown, Pastor

John 3:16 For God so loved the world, that he gave his only begotten son, that whosoever believeth in him should not perish, but have everlasting life.

RE: PETITION FOR VARIANCE * BEFORE THE

1411 Mt. Carmel Road, S/S Mt. Carmel Rd,
appx. 280' NWly of c/l York Road * ZONING COMMISSIONER

6th Election District, 3rd Councilmanic * OF BALTIMORE COUNTY

First Baptist Church of Hereford
Petitioner * CASE NO. 96-176-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204

CERTIFICATE OF SERVICE

(410) 887-2188

I HEREBY CERTIFY that on this 30 day of November, 1995, a copy of the foregoing Entry of Appearance was mailed to John H. Dumler, Esquire, 8441 Belair Road, Baltimore, MD 21236, attorney for Petitioners.

Peter Max Zimmernan

